

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                                   |   |                                   |
|-----------------------------------|---|-----------------------------------|
|                                   | X |                                   |
| In re DEUTSCHE BANK AG SECURITIES | : | Master File No. 1:09-cv-01714-DAB |
| LITIGATION                        | : |                                   |
|                                   | : | <u>CLASS ACTION</u>               |
|                                   | : |                                   |
| This Document Relates To:         | : | NOTICE OF APPEAL                  |
|                                   | : |                                   |
| ALL ACTIONS.                      | : |                                   |
|                                   | X |                                   |

Notice is hereby given that lead plaintiffs in the above-captioned case (Belmont Holdings Corp., Norbert G. Kaess and Maria G. Farruggio), and named Plaintiffs Edward P. Zemprelli and Plumbers' Union Local No. 12 Pension Fund, on behalf of themselves and all others similarly situated, hereby appeal to the United States Court of Appeals for the Second Circuit from the final Judgment that was entered on August 17, 2012 (Dkt No. 71), and from the May 15, 2013, Memorandum & Order denying plaintiffs' timely motion for reconsideration pursuant to Fed. R. Civ. P. 59(e) (Dkt. No. 78), as well as all prior orders that have merged into the Judgment (including, but not limited to, the August 10, 2012, Memorandum & Order granting defendants' motion for reconsideration, and dismissing plaintiffs' claims with prejudice (Dkt. No. 70), and the August 19, 2011, Memorandum & Order granting in part and denying in part defendants' motion to dismiss (Dkt. No. 59)).

DATED: June 13, 2013

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 13, 2013, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses denoted on the attached Electronic Mail Notice List, and I hereby certify that I caused to be mailed the foregoing document or paper via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on June 13, 2013.

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## **Manual Notice List**

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